Remarks

Applicants thank the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the following remarks.

Claims 1-59 are now pending in this application, of which Claims 1, 12, 21, 28, 30, 36, and 41 are independent claims. New Claims 50-59 have been added, where Claims 50 and 51 depend from Claim 1, Claims 52 and 53 depend from Claim 12, Claims 54 and 55 depend from Claim 28, Claims 56 and 57 depend from Claim 29, and Claims 58 and 59 depend from Claim 33. It is respectfully submitted that these claims are supported by at least the title of the invention, Figs. 3, 9A, 9B, 39A, and 39B, and paragraphs 129 and 178 ff.

At pages 2-7, the Office Action rejects Claims 1-49 under 35 U.S.C. § 103(a) as being unpatentable over Shah (U.S. Patent No. 6,029,065) in view of Young et al. (U.S. Patent No. 5,905,956). Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1 is reproduced here as an example of the claims in this application. While other claims may contain variations on or alternatives to some of these limitations, each of the pending claims contains at least one limitation similar to at least one of the limitations of Claim 1 that will be discussed below.

Claim 1 recites:

1. A proximal wireless communication device comprising:

a memory to store a plurality of entries identifying a set of wireless network devices, each entry of the plurality of entries associated with a wireless network device of the set of wireless network devices and including a unique device identification number;

circuitry to enable selection of one or more entries from the plurality of entries to provide one or more selected entries;

circuitry to generate a find signal based on said one or more selected entries; and

wireless communication circuitry configured to transmit the find signal to determine whether the wireless network device associated with a selected entry of the plurality of entries is within range to establish a handset-to-handset communication.

The Office Action, at page 2, asserts that "Shah teaches a proximal wireless communication device comprising: a memory to store a plurality of entries identifying a set of wireless network devices (C4, L1-10, C6, L1-8, teach mobile station store [*sic*] list of feature[s] as [in] Fig. 2, Illustrate memory 50), each entry of the plurality of entries associated with a wireless network device of the set of wireless network devices and including a unique device identification number (C6, L26-38)." There are multiple problems with this assertion.

First, as noted in the Office Action, what Shah discloses in the cited sections is ***storing a list of network features*** ("that are supported by the visited network and how those features may be accessed." Col. 4, lines 1-3). As discussed, e.g., at col. 1, lines 18-22, "features" refers to such things as "Call Forwarding, Call Waiting, Calling Number Identification, Automatic Callback, Conference Calling, Message Waiting Notification, Call Encryption, Selective Call Acceptance, Voice Mail, Enhanced Vocoder, and Cost of All Notification." In other words, the memory in Shah is used to store a (downloaded)

list of services supported by a network in which the device finds itself. Thus, a "feature," as used in Shah, ***has nothing to do with an entry identifying a wireless network device***, as claimed. Applicants have also not found any disclosure or suggestion in Shah that would correspond to the claimed "entries identifying a set of wireless network devices."

Furthermore, the section of Shah at col. 6, lines 26-38 discusses that "[s]tored within the programmable non-volatile memory 50 of mobile phone receiver 100 is the phone's identifying information." To emphasize, this is not saying that the mobile device is storing identification information associated with other mobile devices; rather, it is saying that the mobile device stores ***its own identification information.*** Furthermore, Applicants have found no disclosure in Shah that remedies this deficiency.

The Office Action at pages 2-3 further asserts that Shah discloses "circuitry to enable selection of one or more entries from the plurality of entries to provide one or more selected entries." However, the Office Action is silent as to where in Shah this is disclosed or suggested.

The Office Action next asserts that Shah discloses "circuitry to generate a find signal based on said one or more selected entries" at col. 3, lines 43-49, col. 4, lines 10-20, and col. 15, lines 45-67. However, these sections address ***selection of an available feature*** and/or ***registration with a visited network***. In fact, Shah is ***altogether silent*** with respect to generating a "find signal" based on an entry selected, where the entries, as noted above, identify other wireless network devices.

It is further submitted that Applicants do not believe that Young et al. has any disclosure or suggestion that would remedy the above deficiencies in Shah.

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

Conclusion

Applicants believe that the above remarks address all of the grounds for rejection and that the application is in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Amendment and Reply and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

Date: August 6, 2007

Jeffrey W. Gluck, Ph.D.
Registration No. 44,457
Connolly Bove Lodge & Hutz LLP
1875 Eye Street NW, Suite 1100
Washington, DC 20006
Telephone: 202-331-7111
Direct Dial: 202-572-0322
Facsimile: 202-293-6229

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CB-556514